

DISCUSSION OF AMENDMENT

Claims 1-13 are pending.

Claims 1, 7-8, 11, and 13 are amended.

The amendments to Claims 1, 7-8, and 11 include the limitation of Claim 12. Thus, Claim 12 is canceled without prejudice.

The amendment to Claim 13 serves to improve readability.

No new matter is believed to be added upon entry of the amendment.

Applicants believe that entry of the amendment will not unduly burden the Examiner, and respectfully request that the Examiner enter the amendment.

Upon entry of the amendment, Claims 1-11 and 13 will be active.

REMARKS

The rejections of any one of Claims 1-13 under 35 U.S.C. § 102(b), or in the alternative under 35 U.S.C. § 103(a), over US '911 alone, US '911 in view of US '888, US '911 in view of US '828, and US '911 as evidenced by Tobolsky are respectfully traversed.

The Office has taken the position that US '911 discloses that the oxide-loaded silicone layer 7C that contacts the heat sink 5 disclosed in US '911 inherently softens with an increase in heat.

It is noted that US '911 discloses that an oxide—loaded silicone rubber that is cured "in situ," and that "once the silicone-rubber layer 7C has been so 'vulcanized', it establishes a permanent and exceedingly-strong bond between the heat sink 5 and the previously-vulcanized upper layer 7A" (see US '911 at col. 4, lines 15-31; col. 6, lines 46-52; and Fig. 1). Accordingly, US '911 discloses a cured silicone rubber layer that is incapable of melting at a temperature that ranges from 40°C to 100°C. Since the disclosures of US '888, US '911, and Tobolsky do not disclose this aspect, there can be no issue of anticipation or obviousness of the presently claimed invention in view of any of the above-noted references. The reason for taking this position is because none of the combined disclosures disclose or suggest that aspect of Claims 1, 7-8, and 11, in which "at least the surface of the layer (a) opposite to the layer (b) is capable of melting at a temperature that ranges from 40°C to 100°C."

It is respectfully requested that the Examiner acknowledge this difference and withdraw these rejections.

The rejection of Claims 13-14 under 35 U.S.C. § 112, second paragraph, is respectfully traversed.

Applicants note that the term "melting" as recited in Claim 13, and in Claims 1, 7-8, and 11 is definite when read in light of specification text on page 4, lines 1-8 of the present specification.

Application No. 10/643,978
Reply to Office Action of September 9, 2005

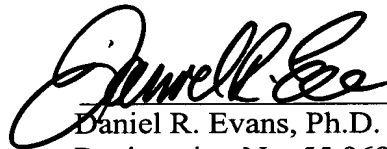
Applicants respectfully request that the Examiner withdraw this rejection.

The objection of Claims 13-14 under 37 CFR 1.75(c) is obviated by amendment. It is respectfully requested that the Examiner withdraw this objection.

In view of the amendments to the claims and the comments contained herewith, it is believed that the present application is now in a condition for allowance. Should the Examiner deem that a personal or telephonic interview would be helpful in advancing this application toward allowance, he is encouraged to contact Applicants' undersigned representative at the below-listed telephone number.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon

A handwritten signature in black ink, appearing to read "Daniel R. Evans", is written over a horizontal line.

Daniel R. Evans, Ph.D.
Registration No. 55,868

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)